

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2625 of 2015

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Hem Kant Jha , aged about 61 years Son of Late Radha Kant Jha Resident
of Village - Dahiar, Police Sation Hathauri, District - Samastipur.

.... Petitioner

Versus

1. The State of Bihar
2. Principal Secretary, Education Department, Bihar, Patna.
3. Director, Primary Education , Bihar, Patna.
4. Dy. Director, Primary Education, Bihar, Patna.
5. District Provident Fund Officer, Purnea.
6. Principal District Education & Training Institute, Forbisganj, Araria.
7. The Accountant General, Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Mukesh Kumar, Mukesh Kumar, Advocate

For the State : Mr. D.K. Prasad, GP 7

For the Accountant General: Mr. Jitendra Kumar, Roy, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 22-07-2015 Heard the parties.

Petitioner claims that he has retired from the post of Lecturer, District Education & Training Institute, Forbisganj, Araria, on 31.01.2014, however, when nothing was paid to him, he was compelled to file this writ petition. During the pendency of this writ petition, admittedly, all the dues have been paid except the GPF amount.

A counter affidavit has been filed on behalf of the respondent no. 5 taking a stand that the Principal, District Education & Training Institute, Forbisganj, Araria, has sent the statement in the month of July 2014 without putting his signature, therefore, the same was returned back to him in the month of

October 2014 for rectification but the same has not been received by him.

Having regard to the facts and circumstances of the case, this Court is inclined to disposed of this writ petition with a direction to the Principal, District Education & Training Institute, Forbisganj, Araria, i.e., respondent no. 6, to send the concerned statement in complete form to the District Provident Officer, Purnea, i.e., respondent no. 5, within two weeks from the date of receipt/production of a copy of this order. The District Provident Officer, Purnea, would be required to take a decision and make payment of all admissible amount to the petitioner with statutory interest within a period of four weeks thereafter.

Since there has not been any latches on part of the petitioner and there is apparent delay on part of the respondents, let statutory interest be paid on the unpaid amount to be calculated from the date the same became due to the petitioner till the date of making final payment.

(Dr. Ravi Ranjan, J)

SC/-

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